

AN ORDINANCE

BY COUNCILMEMBER CEASAR C. MITCHELL

 **05-0-0115**

AN ORDINANCE TO AMEND ARTICLE II, SECTION 162-29 SO AS TO EXPAND THE NUMBER OF HEARING OFFICERS AND ALLOW THE VEHICLES FOR HIRE ADVISORY COMMISSION TO PROVIDE HEARING OFFICER NOMINATIONS TO THE MAYOR; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare; and

WHEREAS, an advisory group made up of representatives of all stakeholders was convened and met for over seven months concluding with a series of recommendations, including the expansion of the number of hearing officers; and

WHEREAS, pursuant to its police powers, the City of Atlanta is authorized to enact legislation to regulate certain types of businesses and industries which could potentially affect the public health, safety and welfare, including businesses which involve vehicles for hire.

NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1

That section 162-29, which currently reads as follows:

Sec. 162-29. Hearing officers.

(a) The mayor shall have the authority to appoint 16 hearing officers for the purpose of acting as fact finders regarding charges brought by the bureau against individuals and entities for violation of this article. Each hearing officer shall be appointed for a two-year term and shall receive \$75.00 for each day or part thereof the hearing officer appears for hearing. Six of the hearing officers shall be attorneys at law with at least three years in the practice of law. A panel of three hearing officers shall be designated by the director for each case heard. Each panel shall have at least one attorney at law but shall not have more than two attorneys. No person shall be appointed as a hearing officer who holds any interest in any licenses issued under the police powers of the city or who represents any interest which may be adverse to that of the city.

be amended by deleting said section and replacing it with the following:

Sec. 162-29. Hearing officers.

(a) The mayor shall have the authority to appoint **twenty-four (24)** hearing officers for the purpose of acting as fact finders regarding charges brought by the bureau against individuals and entities for violation of this article. **Six (6) of the mayor's appointments shall come from a list of nominees submitted by the Vehicles for Hire Advisory Commission.** Each hearing officer shall be appointed for a two-year term and shall receive \$75.00 for each day or part thereof the hearing officer appears for hearing. **Eight (8)** of the hearing officers shall be attorneys at law with at least three years in the practice of law. A panel of three hearing officers shall be designated by the director for each case heard. Each panel shall have at least one attorney at law but shall not have more than two attorneys. No person shall be appointed as a hearing officer who holds any interest in any licenses issued under the police powers of the city or who represents any interest which may be adverse to that of the city.

Section 2

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 11/18/05
Referred To: PS/LA
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee	Date	Chair	Action Fav, Adv, Hold (see rev. side) Other	Members
Refer To				

Committee	Date	Chair	Action Fav, Adv, Hold (see rev. side) Other	Members
Refer To				

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3
Readings
☐ Consent ☐ V Vote ☐ RC Vc

CERTIFIED

MAYOR'S ACTION